THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

Writ Petition No.16675 of 2005

Dated 02-08-2005

Between:

Valluri Abbaiah, S/o Naraiah, Mandapata Town &

Mandal, East Godavari District and another. .. Petitioner.

And

The District Collector, East Godavari District

At Kakinada and others. ..Respondents.

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ORDER:

The learned counsel for the petitioners is absent.

The writ petition is filed to issue a Writ of *Mandamus* declaring the action of the respondents 1 and 2 in threatening to dispossess the petitioners from the land to an extent of Ac.16.04 cents in R.S.Nos.889, 891, 892 of the first petitioner and the land to an extent of Acs.10.60 cents in R.S.No.888 and 890 of the second petitioner situated at Mandapata Town & Mandal, East Godavari District, without due process

of law and without initiating any Land Acquisition proceedings, as arbitrary and illegal and consequently to direct the respondents not to evict the petitioners from their lands without any due process of law.

It is submitted by the learned Government Pleader for Revenue that with regard to the subject lands auction was conducted on 27-07-2005 and the possession was given to the auction purchasers.

As per the caveat, earlier, W.P.No.10810 of 2005 was filed by the petitioners herein before this Court against the Form-I notice issued by the Endowment Authorities and the same was dismissed by this Court on 24-06-2005.

In view of the fact that present writ petition is filed against the self-same notice, which was already challenged before this Court in W.P.No.10810 of 2005, impleading other respondents as party-respondents, writ petition is not maintainable.

The Writ Petition is accordingly dismissed. No costs.

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E.DHARMA RAO, J.

Dated 02-08-2005.

SKMR